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CHANDIGARH ADMINISTRATION

FINANCE DEPARTMENT

ESTATE-I BRANCH

Notification

The 20th December, 2019

No. 11/2/70-UTFI(4)-2019/20494.—In partial modification of the notification issued by the Finance Department, Chandigarh Administration,—*vide* No. 11/2/70-UTFI(4)-2017/6994A, dated 25.07.2017 as amended,—*vide* notification bearing No. 11/2/70-UTFI(4)-2019/11142, dated 12.07.2019 and in exercise of the powers conferred under Section 4, Section 5(2) and Section 22(1) of the Capital of Punjab (Development & Regulation) Act, 1952 as adapted by the Punjab Re-Organization (Chandigarh Adaption of Law on State and Concurrent Subject) Order, 1968 for the Union Territory of Chandigarh and all other powers enabling him in this behalf, the Administrator, Union Territory, Chandigarh, is pleased to make the following Rules to further amend the Chandigarh Building Rules (Urban)-2017, as under :—

1. **Title, Extent and Commencement.**—These Rules may be called "Chandigarh Building (Amendment) Rules (Urban)-2019".

2. These Rules shall come into force from the date of their publication in the Official Gazette of Chandigarh Administration.

3. That in the Chandigarh Building Rules (Urban)-2017, the Rule 5.1.12 as existing, shall be substituted as under :—

"5.1.12 Basement :

- (i) Basement shall be optional or as specified in the applicable Architectural Control.
- (ii) Non habitable use shall be allowed only for Storage, Services and utilities w.r.t. building infrastructure. Minimum height 2.4 m (8'-0") below the beam/ roof slab is free from FAR.
- (iii) No basement is allowed in booths.
- (iv) In case existing adjacent building is constructed without basement, a minimum setback of 2.4 m (8'-0") shall be taken from the existing adjacent building subject to the fulfilment of structural stability to be ensured by the registered Structural Engineer."

(57)

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4. That in the Chandigarh Building Rules (Urban)-2017, the Rule 5.1.18 as existing, shall be substituted as under :—

"5.1.18 Maximum 4 Sub divisions allowed to be occupied by different tenants/outlets, on each floor of a single bay shop with a minimum of 6 ft. wide corridor and up to 8 partitions on a floor of double bay shop with 9 ft. wide corridor where there are offices on both sides of its subject to provision of adequate forced fresh air circulation. To simplify procedure, owner should only be required to submit the layout and deposit prescribed fee with Estate Office.

The partition wall between the sub divided shops shall be of any fire retardant material and constructed maximum up to ceiling height.

It is clarified that sub-divisions shall be allowed on each floor for office use, in case use of the SCF/SCO has been got converted into SCS (shop-cum-shop) then single unit/single shop by a single user shall be allowed.

5. That in the Chandigarh Building Rules (Urban)-2017, the Rule 11.1.4 as existing, shall be substituted as under :—

"11.1.4 If during the construction of a building, any deviation from the sanctioned plan is intended to be made, approval of the Competent Authority for the same may be obtained before the change is made. The revised plan showing the deviations shall be submitted and the procedure laid down for the sanction of building plan as stated in Rule 11.1 and 11.1.2 shall be followed, along with depositing of required fee, if any. Provided, that revised building plans in continuation to the originally sanctioned building plans can only be submitted once. Non compoundable/ Non sanctionable deviations beyond Zoning may not be considered at any stage and these will have to be removed before processing any building plan application."

6. That in the Chandigarh Building Rules (Urban)-2017, the Rule 11.1.9 as existing, shall be substituted as under :—

"11.1.9 Building Plan once approved shall be valid for completion of construction within a period of 5 years".

It is clarified that prior to revalidation of building plan, status of the existing construction at site has to be taken by the Estate Office/ SDO (B). If the building is under construction as per the sanctioned plan then the revalidation of building plan shall be considered as per rules. If planning is changed w.r.t. the sanctioned plan then no revalidation of plan shall be permitted and the owner may be asked to submit the revised building plan as per the prevailing building rules."

7. That in the Chandigarh Building Rules (Urban)-2017, after the Rule 10.8 as existing, the following new Rules 10.9 & 10.10 shall be added as under :—

"10.9 Provisions in Commercial Buildings (SCO's/ SCF's/ Bay Shops & Similar Buildings).

10.9.1 SUB DIVISION subject to the prior approval of the Estate Office/ Municipal Corporation, Chandigarh.

The erection of partitions in Multi bay ground floor shops for the purpose of independent usage of each partitioned space shall be allowed in accordance with the building bye- laws.

- A. In the City Centre, Sector 17 (RCC frame), maximum 4 sub-divisions of 2 bay shops of size 34'-6" x 103'-0" shall be allowed at ground floor only. In three bay shops, maximum number of sub divided shops shall be 6.
- B. Two sub-division of 3 bay shops (brick face), measuring 33'-0" x 80'-0" i.e. shopping strip V4, Sector 17 shall be allowed at ground floor only. The position of mezzanine floor shall not be altered and shall be subdivided in case of sub-division is opted for. The sub-divided mezzanine floor shall be approached independently through separate stairs from the sub-divided portion of the shop.
- C. In case of shops having verandah on both sides, only one sub-division shall be allowed and the minimum size of sub-divided shops shall be 16'-6" x 35'-0" inclusive of verandah.
- D. Two sub-division of multi bay shops at ground floor in other location in Chandigarh except Sector-17, shall be allowed.

The above provisions shall be allowed subject to the following conditions :—

- (i) The ownership of the shop shall not be changed.
- (ii) The sub-divided shops shall not be transferred by way of sale gift, mortgage, will/ power of attorney of otherwise.
- (iii) An additional entry with door shutter opening may be provided subject to the condition that ventilation for the basement floor in the remaining part of the glazing is not disturbed. However, the size of the additional entry shall be of the same size as that of existing entry.
- (iv) An additional door in the rear side of the building of the same width/ height and design as that of the existing door on the rear side will be allowed as shown in the Architectural Control Sheets.
- (v) The partition wall between the sub divided shops shall be of any fire retardant material and constructed maximum upto ceiling height.
- (vi) The partitions for sub-divisions shall be allowed only along columns & under the beams.
- (vii) It is clarified that need-based partitions required for the needs of single user of the entire ground floor space such as office, bank, departmental store etc. shall not be subject to any charges. In such cases it shall be ensured that the entire floor has an open floor plan and is designed to function as single unit.

10.9.2 COURTYARD COVERAGE :

- (i) Covering of back courtyard of the Bay shops (single storey) in Chandigarh shall be allowed in conformity with building rules. If the bay shop is also having/going to have basement, while covering of back, a setback of 2.25m shall be left.
- (ii) Covering of internal courtyard within the building line bay shops (single storey) shall be allowed only after the permission for conversion from restaurant to general trade from the Estate office/ M.C. Chandigarh.
- (iii) The courtyard within the building line on 1st and 2nd floor of the shop-cum-offices all over the city shall be allowed to be covered. This will be further subject to the fulfillment of conditions regarding light and ventilation, minimum habitable height, maintaining the External facade and overall height and other mandatory conditions as per Building Rules CBR (U) 2017.

In the case of Shop-cum-flats coverage of internal courtyard within the building line on 1st and 2nd floor is subject to the condition that the owner has obtained permission for converting of SCF to SCO i.e. commercial use of upper floors.

The courtyard coverage on first and second floor beyond the building line shall not be allowed.

- (iv) Coverage of courtyard provided for the purpose of light and ventilation to rooms in Lodging-cum-Restaurant sites shall be allowed on upper floors subject to the following terms & conditions :—
 - (a) The courtyard shall be covered with transparent poly carbonate or fibre sheets in such a manner that allows in fresh air / ventilation from three sides.
 - (b) The area covered with fibre sheets shall be used purely for the purpose of circulation at site only and shall not be put to commercial use in any manner.
 - (c) 100% power backup shall be provided for air conditioning and artificial lighting of the rooms with source light & ventilation through the courtyard.
 - (d) This provision is allowed only for lodging rooms in Lodging-cum-Restaurant sites which form part of a row in a commercial belt (SCOs, SCFs converted into SCOs) and shall not be allowed for hotels on Independent plots/ sites governed by Zoning Regulations. This will also not act as a precedent for light and ventilation of private residential buildings i.e. marla & kanal houses, Group Housing Societies, where light & ventilation shall be ensured as per Building Rules.
 - (e) This provision is allowed subject to approval of Chief Fire Officer, U.T, Chandigarh.
- (v) 50% coverage of the open central courtyard on the rear of the show rooms as per the standard Drg. No. 7 of Job No. 477 in Sector-7 and Drg. No. 13 of Job No. 872 in Sector-26, Madhya Marg, shall be allowed.
- (vi) The cut out in roof slab on top floor of all the non-residential buildings shall be allowed subject to the provisions of adequate light, ventilation, circulation, air circulation and safety requirements.

10.9.3 USAGE AND CONVERSION Subject to the prior approval of the Estate Office/ Municipal Corporation, Chandigarh.

- (i) Conversion of Shop-Cum-Flat to Shop-Cum-Office shall be allowed subject to following provisions :—
 - (a) Only the lessee/transferee of a Shop-cum Flat shall be entitled to apply for the conversion.
 - (b) The stairs for the first and second floors of the building shall be provided from the front of the shop in accordance with the prescribed architectural control for Shop-cum-Offices. Otherwise the lessee/transferee may submit revised plans indicating the proposed position of the staircase and other internal changes.
 - (c) No change in the outer facade of the building or additional construction of any kind shall be permitted.
- (ii) The additional height of second floor in SCFs/SCOs/Guest Houses and Shopping Centre in various sectors shall be permitted as per Architectural control sheets subject to the following conditions :—
 - (a) Additional height shall be allowed to provide minimum habitable height on 2nd floor with the condition that the present façade is not disturbed for which height increase may be allowed with a setback of 3'-9" from front façade.
 - (b) All other violations of Architectural control in the SCFs/ SCOs should be removed before allowing this facility and both front and rear facades shall be restored to as per the Architectural control.
 - (c) In the existing Architectural controls, the staircase from rear side has been allowed only for access to the residential unit on upper floors. However, no staircases access from rear side courtyard to the second floor shall be allowed where commercial habitable use along with additional height is availed as per this relaxation.
 - (d) The provision of Building Rules 5.1, Note-ii of CBR(Urban) 2017 shall also be referred in addition to the above for additional height and covered area on 2nd floor in SCFs.
- (iii) The upper floors of SCO's (including SCF's converted to SCO's under the rules) meant for office use shall be allowed to be used for more intensive purpose of shopping (display and sale of goods) and restaurants (sale and serving of prepared foods and beverages including banquet facilities) shall be allowed.

Provided that such use is allowed under the building rules / bye-laws and zoning plans. However, Permission for conversion of trade will have to be obtained where necessary.

Note.—The use of upper floor office space for purpose such as Lodging House, Guest House or Hotel excluding any restaurant, Dining room or Banquet facility shall not be considered to be of the same intensity as office use and the same shall be allowed on payment of aforesaid conversion charges subject to the building byelaws and zoning plan and an application being made in this regard to the Estate Office.

- (iv) Booths in sector markets, City Centre etc. (other than the booth markets set up for rehabilitation of hawkers) having a minimum size of 130.00 (one hundred and thirty) sq.ft. to be provided with a water connection and sewerage connection on payment of such charges and tariff as may be prescribed by the M.C. Chandigarh keeping in view the (site specific) Capital and Revenue Expenditure that has to be incurred to provide the required services at various locations, feasibility at site and payment of conversion charges for change of trade.

10.9.4 EXTERNAL CHANGES :

- (i) Architectural Control Sheet shall apply only to the external façade. Need based variations to external facades include doorways of greater than the minimum size, separate/security entrance for automatic teller machine, CC wall in the Show Window for a high security zone, chimney/exhaust for a kitchen, ducts for a split/central air conditioning unit, full length show window, where feasible shall be allowed, provided that the norms for circulation, light ventilation etc. are met.
- (ii) Glazing of compulsory verandah on first and second floors, both on front and rear sides of SCO's, Lodging cum Restaurant sites in Sector 22 A, B & C shall be allowed along the building lines of these sites subject to conditions :—
 - (a) No projections in terms of ACs, coolers or sunshades shall be allowed on the front & rear facades of the architectural controls.
 - (b) This relaxation shall not form precedent for similar relaxation elsewhere in the city and is applicable specifically for these architectural controls in Sector 22-A, B & C only.
 - (c) The owners shall maintain both the facades as per the original architectural control.
 - (d) The brick jalli on the front facade shall be retained as such in the Architectural control. Alternatively, the same can be used for availing additional advertisement panels on payment basis as already notified by Chandigarh Administration.
- (iii) The height of the front glazing / rolling shutter may be allowed to be increased upto soffit level of the roof slab of ground floor by omitting/ decreasing the size of advertisement panel subject to the condition that no additional advertisement space shall be provided.
- (iv) All the shop owners desirous of installing air conditioners in the verandah for their shops shall fix the same above the false ceiling in the verandah. The false ceiling shall be of any material/specification of their choice subject to a minimum clear height is 9'-0" or in line with the soffit of the front advertisement beam. Every shop owner who is having shop without air conditioner on one or both sides shall have to close the suspended ceiling from the sides, as the case may be.
- (v) The wide glazing in place of traditional brick jalli / brick wall on first and second floors of Shop-cum-Offices (SCO's) and Shop-cum-Flats (SCF's) or similar buildings in all sectors in Chandigarh shall be allowed without any change in architectural control/frame control subject to the condition that all the owners/allottees/lessees/occupiers in a row of a given block shall make a joint request for this purpose to maintain the homogenous character. The permissible wide glazing only on 70% of surface area of brick jalli/brick wall shall be allowed.
- (vi) Regarding the specifications of the building material to be provided on the front façade of common wall, jambs along the public verandah applicable to SCOs, should have a material as per the discretion of the owner.
- (vii) Any material except timber shall be permitted for glazing on external facades of commercial buildings. The use of timber shall, however, be permitted on show windows in the public verandah of the building. All glazing/ doors/windows or openings within the enclosed courtyards or external surfaces which are behind parapets/jalli/walls etc. may be of any size as per the requirements of the owner subject to the condition that the lintel soffit of such glazing/windows/doors/openings is not higher than 6'-9".
- (viii) The show widows in the commercial building may be omitted provided the owner makes alternate arrangement for the provision of proper light and ventilation and fire safety of the basement storey, if provided.

- (ix) The shop owner shall have a choice regarding location of door subject to the condition that only one entrance is provided and proper light and ventilation is duly ensured.
- (x) Bifurcation of the front rolling shutter in the entrance door/show window of SCO/SCF by extending the central brick column towards public corridor (but without protruding in the public corridor) or unification of the rolling shutters by removing the central column shall be allowed.
- (xi) The sky-light on roof top of commercial buildings which are not visible from the street shall not be compulsory, provided minimum light and ventilation as stipulated in building rules is ensured. Sky-lights shall also not be compulsory in all those commercial buildings where deficiency of natural light and ventilation is compensated by artificial lighting, ventilation and air-conditioning etc. as stipulated in the building bye-laws.
- (xii) The back courtyard wall in Shop-cum-Office (SCOs)/ Shop-cum-Flats (SCFs) shall be 12'-0" height from Centre line of road or as specified in the relevant Architectural control sheet shall be allowed.

10.9.5 INTERNAL CHANGES

- (i) There shall be no bar henceforth on providing additional staircases in commercial buildings (including SCOs/SCFs) to meet with the fire safety requirements as per National Building Code.
- (ii) As per new fire safety norms, minimum of two staircases are to be provided in old and new buildings above 15m height which already stand constructed with one staircase as per the approved plan. Further if fire safety staircase in old buildings cannot be provided within the existing building it can be allowed beyond the Architectural control/ zoned area and within the plot subject to NOC from the Chief Fire Officer and prior approval of the Estate Officer. These staircases shall be open to sky and hence shall not be counted towards FAR. While providing the extra staircase the uniformity shall be maintained.
- (iii) The provision of a cut out of the max. size of 4'-6"x 4'-6" with a flap door on top of it within the parapet height along with the provision of cat- ladder shall be made mandatory wherein mummy has not been constructed to meet with the fire safety requirements in all SCFs/ SCOs & lodging-cum restaurant/ Hotel sites governed by the Architectural control sheets.
- (iv) In case of internal planning of SCOs, such as number and size of columns and beams and locations and design of stairs, it shall be left at the discretion of the owner of the building, subject to the provisions of Building Bye-laws; whereas other Controls shall not be altered. In case the SCO is got converted into shop-Cum-shop, then the cut out in slab of upper floors will be allowed, if required. However, in SCO, no cut out more than the width of a single flight in straight flight/circular flight or two flights in case of dog leg stairs shall be allowed.
- (v) Full height partitions on upper floors in SCOs shall be allowed for the functional requirement of the office space. The partitions shall be of any fire retardant material provided the minimum size of cabin is 8'-0"x 8'-0". In the case of air conditioned cabins, the partitions shall be taken upto the ceiling subject to the provision of air conditioning scheme in the sanctioned plans. This relaxation in height of partitions shall not be applicable to the non-air-conditioned area. Other conditions as mentioned in the existing building byelaws shall remain the same.

- (vi) Flexibility in internal planning of floor level of SCOs/ SCFs shall be allowed provided the ground floor of the building is not depressed. However, if the owner of the building wants to depress the floor slab at ground floor then it shall be allowed upto 4'-0" (1.21m). In all the cases, the external façade of the building as shown in the Architectural control sheets shall not be altered and the total covered area and the total numbers of floors shall remain same. This facility shall also be allowed to those SCOs/SCFs where basements are allowed provided the basement height and use is as per architectural controls/building rules.
- (vii) The ground floor of the existing SCO/SCF shall be allowed to have a depression upto 4'-0" (1.21 m) on the ground floor to accommodate mezzanine floor as per norms subject to structural stability and provision of minimum permissible height in conformity with building rules and the same shall be examined on case to case basis in view of structural stability of the building in question and the adjoining buildings. The mezzanine floor will not be enclosed by glazing/walls and shall have only parapet/railing.

A ramp of minimum 4'-6" (1.37 m) width after leaving a gap of minimum 1.37m distance from entrance shall be provided from corridor floor level to lower ground floor level so as to create barrier free environment for persons with disabilities. No toilet/water point shall be allowed in depressed floor.

10.9.6 GENERAL PROVISIONS :

- (i) Wherever the road berms in front, side or back of the buildings have been encroached, these shall be got vacated.
- (ii) A single storey temporary building for a builder's office, shed for storage of building materials and for setting an estate office; to last for a limited period only in connection with and during the erection and re-erection of any building or for sale or letting of a building or a building plot in the course of development of the area.
- (iii) **Connection with Sewer and use of Sanitary installation.**—No connection of any drain to any sewer or storm water drain shall be made or shall any water borne sanitary or drainage installation of any part thereof be taken into use until and unless the Chief Administrator under rule grants permission to occupy the building.

Provided that the Chief Administrator may allow temporary sewer connection at the time of sanction of the building plan, for the facility of labourers who would be engaged at work at the time.

10.10 DEVIATIONS TO THE SANCTIONED PLAN TO BE DEALT WHILE ISSUING COMPLETION/OCCUPATION CERTIFICATE

- (i) The brick cut work in plaster instead of exposed Brick work shall not be allowed on major elevations. However, for smaller areas and internal surfaces, the same shall be considered.
- (ii) Stair head-way constructed to the height of 6'-9" against the permissible height of 7'-3" (2.2) shall be considered.
- (iii) Passage, W.C., bath, gallery, verandah, store, loft and store at barsati floor near or above the stair case, constructed to a height of 6'-9" from the floor level, against the minimum height of 7'-6" shall be considered.
- (iv) Minimum clear height of 7'-0" instead of 8'-0" shall be allowed, measured from the surface of the floor to the lowest point of the A.C. ducts or the false ceiling in fully Air conditioned office areas only.

- (v) Variation in Internal Planning with minor internal changes made in all type of buildings during the course of construction i.e. change in size and location of the doors, windows and ventilators; minor change in size of rooms/office cabins, construction of W.C. and bath instead of toilets; and change in the position of the toilets, stores and kitchen, provided there is no violation of the Architectural/Frame Controls, Zoning regulations and building rules.
- (vi) Up to 2% variation in the minimum permissible area of a habitable room/W.C., toilet, Kitchen etc. Within the zoned area shall be allowed on payment of composition fee. However, the minimum width of the area as prescribed in the building bye-laws cannot be reduced.
- (vii) Variation of ½" in the height and depth of riser and tread respectively of all categories of buildings shall be compoundable. Maximum 2 nos. of extra risers in a single flight of stairs shall be considered at the time of granting the occupation certificate. However, the benefit shall be restricted to one of the items mentioned above in each case. In no case both the items are to be considered together in a stair case.
- (viii) In residential buildings, the openable glazing or sliding grills shall be allowed in veranda's provided that it has a standard door opening and a window, which is not smaller than 1.22 m x 1.22 m (4'x 4') for proper light and ventilation.
- (ix) Violations of zoning in residential buildings on all sides within the plot upto 6" for cladding only shall be considered.
- (x) Car parking/ porch covered with A.C. sheets or fibre glass roof shall be permitted in the front courtyard of the residential houses.
- (xi) Shifting of the stair flight in the Residential houses shall be considered.
- (xii) Store, W.C., or bath constructed under the sanctioned stairs in deviation to the sanctioned plan shall be considered.
- (xiii) RCC projections over lights on advertisement panels in booths, if not provided, shall be considered.

Note.—1. The above provisions of Rule 10.9 & 10.10 shall be allowed subject to payment of prevailing rates of composition fee as per earlier notifications/orders and as amended from time to time by the Chandigarh Administration.

2. The additional FAR shall be allowed subject to payment of charges/fees as notified by Department of Finance, Finance-1 (Estate Branch),—*vide* Memo No. 21/1/283-UTFI(3)-2019/11664, dated 22.07.2019."

(Sd.) . . . ,
Finance Secretary-cum-
Chief Administrator,
Union Territory, Chandigarh.

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